

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AAEB5 FUND 17, LLC, *et al.*

Plaintiffs,

-v-

DUVAL & STACHENFELD, LLP, *et al.*

Defendants.

23 Civ. 3588 (PAE)

ORDER


PAUL A. ENGELMAYER, District Judge:

The Court has received plaintiffs’ proposed Amended Complaint and request to seal. Dkt. 9. The Court partially grants that request. Plaintiffs are authorized to file, on the public docket, a redacted version of the list of the names and citizenships of the members of the plaintiff limited liabilities companies (“LLCs”). However, that redaction must be limited to the identifying information of members with active immigration applications and should refer to these members by their first and last initials.

Although the Amended Complaint identifies the citizenship of the plaintiff LLCs’ members, it still does not clearly allege diversity jurisdiction. It states that some of the plaintiff LLCs’ members are citizens of California and New Jersey, Dkt. 9-2 at ¶ 7, and all of the defendant limited liability partnership (“LLP”) members are citizens of “states other than the State of New York,” *id.* at ¶ 8. As with other unincorporated entities, the citizenship of an LLP is based on that of its members. *See, e.g., Brady v. IGS Realty Co. L.P.*, No. 19 Civ. 10142 (PAE), 2020 WL 5414683, at *10 (S.D.N.Y. Sept. 8, 2020), *aff’d*, No. 20-3512, 2021 WL 4302737 (2d Cir. Sept. 22, 2021), and *aff’d sub nom. Brady v. Friedlander*, No. 20-3515-CV, 2021 WL 5872264 (2d Cir. Dec. 13, 2021); *Monitronics Funding LP v. Pinnacle Sec., LLC*, No.

12 Civ. 1992 (JGK), 2012 WL967623, at *1 (S.D.N.Y. Mar. 21, 2012). Therefore, to enable the Court to determine whether there is a diversity of citizenship, plaintiff must file a redacted version of the names and citizenships of the plaintiff LLCs' members, and a Second Amended Complaint detailing the citizenship of the defendant LLP members, as described above, by May 20, 2023.

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge

Dated: May 10, 2023
New York, New York